



Interim NSCHC Frequently Asked Questions

Effective February 24, 2021 – November 1, 2021

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Introduction

National Service Criminal History Check (NSCHC) is a screening procedure established by law to protect the beneficiaries of national service. This guidance must be followed per the NSCHC regulations ([45 CFR 2540.200 -- .207](#)).

On February 24, 2021, AmeriCorps published a new NSCHC regulation to be effective May 1, 2021. This document outlines common questions related to implementing the new NSCHC regulation for individuals who have started work/service before May 1, 2021 and will continue to work/serve after November 1, 2021. AmeriCorps will refer to the May 1, 2021 – November 1, 2021 as the interim period. CNCS will periodically update this FAQ and retire this document on November 1, 2021.

Grant recipients should refer to [NSCHC FAQs effective May 1, 2021](#) for any FAQs for individuals starting on or after May 1, 2021.



1.0 Effective Dates

1.1 What does the May 1, 2021 effective date mean?

The May 1, 2021 effective date is the date the NSCHC rule becomes enforced. This means anyone starting work or service on May 1, 2021 or after will need to comply with the new NSCHC rule.

1.2 What does November 1, 2021 date refer to?

November 1, 2021 is approximately 180 days after the May 1, 2021 NSCHC rule effective date. This date refers to the deadline for grant recipients to ensure they have taken action to be compliant with the new NSCHC rule for any individuals who started service or work before May 1, 2021 and who continue to serve or work on or after November 1, 2021.

NSCHC grant records of anyone that began service or work prior to May 2, 2021 and will continue to serve/work after November 1, 2021 must be compliant with the May 1, 2021 rule by November 1, 2021.

1.3 What is required for applicants who start May 1, 2021 or later?

Individuals who start on May 1, 2021 or later must abide by the May 1, 2021 effective NSCHC rule.

2.0 Currently Serving/Working Individuals:

2.1 What checks are required for individuals who were serving/working before the effective date May 1, 2021?

- For Individuals who began serving/working prior to May 1, 2021 and will exit before November 1, 2021, the May 1, 2021 effective NSCHC rule does not apply. NSCHC compliance will be determined by the October 5, 2012 NSCHC rule.
- For individuals who began serving/working prior to May 1, 2021 and will exit on or after November 1, 2021, the May 1, 2021 effective NSCHC rule does apply. NSCHC grant records must be brought into compliance with the new rule by November 1, 2021.
 - For example, if an individual serving/working on a grant only has a NSOPW and murder self-certification and plans to continue to serve/work past November 1, 2021, the NSCHC grant files must be updated to be compliant with the May 1, 2021 regulation. A compliant NSCHC file will include an NSOPW, state (of service and residence) check, FBI check and all required documentation.

2.2 Can I perform accompaniment if an individual is pending check results?

If you have an individual whose start date is before May 1, 2021, and you have initiated state and FBI checks, you may perform accompaniment if the individual has access to vulnerable populations while the check results are pending.

If you have an applicant whose start date is May 1, 2021, or after, you must comply with the May 1, 2021 NSCHC rule, which requires that all checks must be completed, and eligibility determined before the start of service/work. In this case, accompaniment is not an option for the individual while checks are pending.

2.3 Should I still initiate state and FBI checks for new applicants?

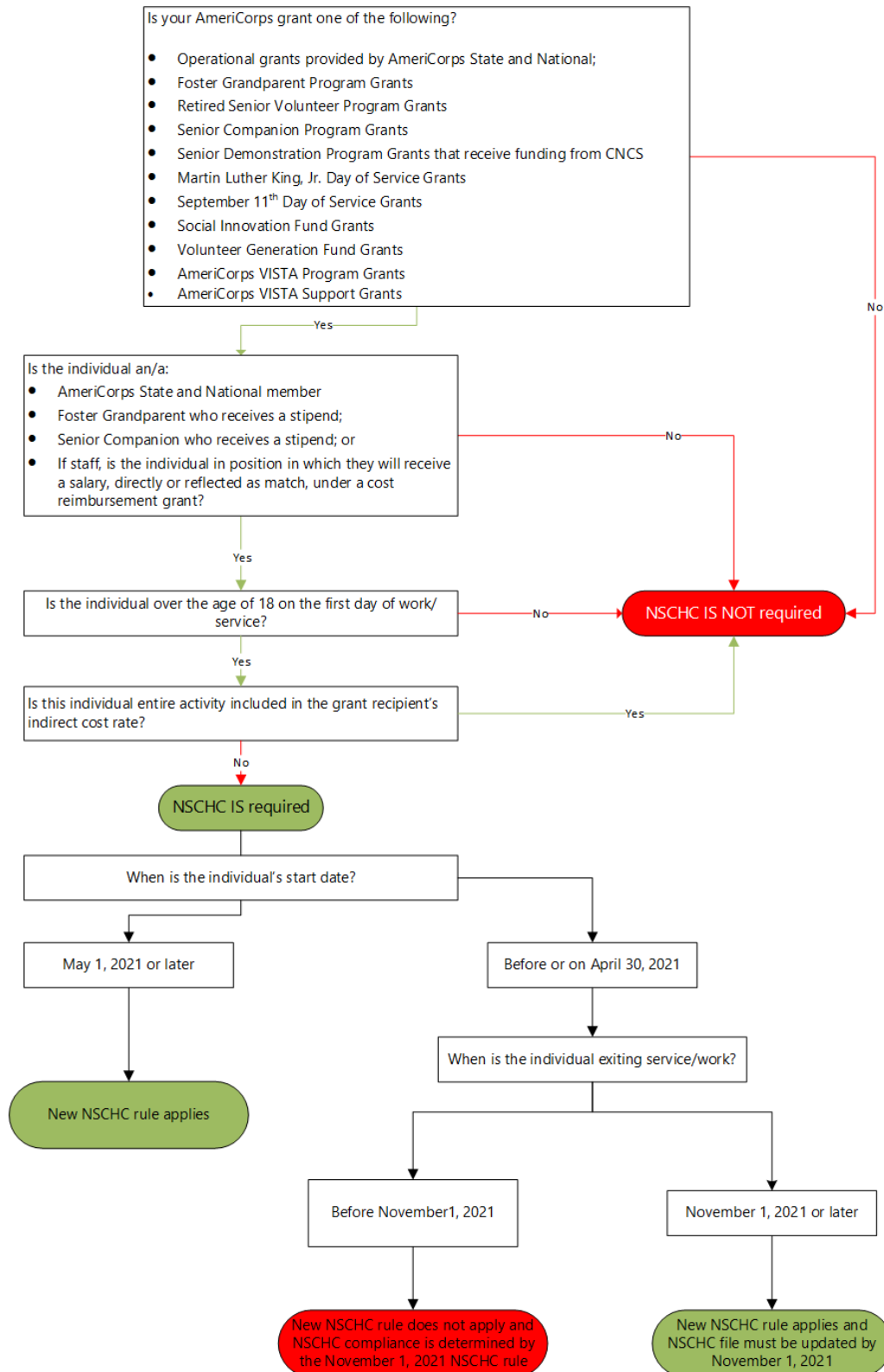
If you have an applicant whose start date is before May 1, 2021, you may initiate state and FBI checks no later than the first day of service/work and perform accompaniment if the individual has access to vulnerable populations while the check results are pending.

If you have an applicant whose start date is May 1, 2021 or after, you must comply with the May 1, 2021 NSCHC rule, which requires that all checks must be completed, and eligibility determined before the start of service/work. In this case, accompaniment is not an option for the individual while checks are pending.

2.4 Effective Date Chart

Effective Date Chart	Covered Individual Exits Work or Service Before 11/1/21	Covered Individual Exits Work or Service on or After 11/1/21
Covered Individual's Start Date is 5/1/21 or After	Must comply with 5/1/21 NSCHC regulations	Must comply with 5/1/21 NSCHC regulations
Covered Individual's Start Date is before 5/1/21	5/1/21 regulations do not apply; 10/5/12 regulations apply	Must comply with 5/1/21 NSCHC regulations by 11/1/21

2.5 Required checks for individuals who were serving/working before the effective date May 1, 2021 graphic



3.0 NSCHC Compliance

3.1 Does NSCHC enforcement change?

It is possible that NSCHC enforcement and the [NSCHC Guide to Enforcement Action](#) may change. If so, AmeriCorps will notify grant recipients of the change in advance of the effective date.

3.2 Are the agency-approved vendors required?

Grant recipients have the option of using agency-approved vendors, Truescreen and Fieldprint, or going directly to www.NSOPW.gov and state repositories. The May 1, 2021 NSCHC rule allows both options.

3.3 What should I do with my old files after May 1, 2021 (or November 1, 2021)?

Continue to maintain all your files, as part of the grant record. For active individuals whose files must be updated to become compliant with the new NSCHC rule, the grant records should include evidence of a compliant initial file and documentation of the actions taken to ensure compliance with the new NSCHC rule.

NSCHC information should be maintained in a secure location under the control of an authorized records custodian. Only people who have an official need to review the information should have access to the records.

3.4 Do applicants need to sign the murder self-certification requirement?

The May 1, 2021 NSCHC rule eliminates the need for individuals to certify that they have not been convicted of murder, regardless of when they started service/work.

NSCHC files for individuals with such self-certifications that continue to serve or work after November 1, 2021 must be brought into compliance of the May 1, 2021 rule by November 1, 2021.

By November 1, 2021, these individuals must have a NSOPW check, state of service/residence check and an FBI fingerprint check and all other required documentation requirement to be compliant.